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23 October 1960

MEMORANDUM FOR: Director of Central Intelligence
VIA: Deputy Director (Plans)
SUBJECT: The Marten Affair

1. This memorandum is for the information of the DCI.
2. Attached is a description of the Marten affair which is forwarded in response to the DCI's request.

GORDON H. STEWART
CHIEF, EASTERN HEMISPHERE DIVISION

Attachment:
The Marten Affair

cc: IDCI

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20 October 1960

The Marten Affair

The 28 September 1960 issue of Der Spiegel presented in sensational fashion the story of Berlin attorney and alleged war criminal Dr. Max Marten's civil action against Dr. Karl Harbach, also a Berlin attorney. This article precipitated a political crisis in Greece which is only now slithering down.

Background. Both Marten and Harbach had been military administration officials during the German occupation in Greece.

Marten had entered Greece in 1957 to present a civil restitution claim on behalf of a German citizen. He was arrested, tried and sentenced to 25 years in prison for alleged atrocities committed against Jews in Greece. His indictment and trial appear to have been a part of an attempt by the Greek government to bring about increased reparations from West Germany. In 1959, following the successful negotiation of a \$50 million loan from Greece, a special bill was passed in the Greek parliament concerning Marten, who thereupon returned to West Germany and proceeded to bring suit against Harbach. Marten changed in his suit that Harbach, his predecessor in Greece, withheld evidence which could have exonerated him in his (Marten's) 1957 Greek war crimes trial. According to the Spiegel article, Marten felt that he had been tried for actions of his predecessor, Harbach, and resented the hostility of Harbach and the indifference of the West German government during his trial in Greece.

The Greek Side of the Story. The Greek Government's concern stemmed from the reporting by the domestic opposition press of the Spiegel article, particularly the concluding portions thereof which quoted some damaging allegations by Marten which had also appeared in the GFD-controlled Frankfurter Zeitung. The Frankfurter Zeitung contained statements by Marten which listed Greek Prime Minister Karamanlis and Greek Minister of the Interior Bakis to Marten's war-time secretary (now Bakis' wife) as being involved in the appropriation of Jewish property as well as being informants of the German occupation authorities. The Zeitung had reported that Marten claimed to be

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in possession of a photograph (taken for Wilhelm, it is asserted) showing Karamanlis, Metaxas, the present Mrs. Metaxas and Marika which was taken in 1943 in Greece. The Athens press took up this story and debated it in a series of hostile attacks and counter-attacks, adding, however, nothing to the facts.

The Greek Government sent a trusted messenger to Germany to secure information which would enable the pro-government press to rebut the opposition press. It also sent the Chief of Intelligence to discuss the case with his German counterpart. Minister of the Interior Metaxas and Under Minister of Defense Themelis, who had been the governor of Metaxas's wartime district, brought civil suits for slander in the Greek courts.

The West German government makes an official apology to the Greek government and expressed displeasure to the editors of both the Frankfurter and the Zeitg.

As the government circle developed, []

[] offered the Agency's good offices to the Greek prime minister who accepted gratefully. []

had also dispatched a senior Greek-speaking operations officer to accompany the aforementioned Greek emissary. With the full cooperation of German Station elements, Frankfurt, Bonn, Hamburg and Munich, the [] operations officer received precise information on the German background of the case, indications of West German governmental views, information on the activities and contacts of numerous Greek opposition reporters in Germany and an evaluation of the material passed by General Gabis to his Greek counterpart. As a result of this assistance in Germany the pro-government Greek press was able to buttress the government's position and effectively rebut the opposition regarding. The information also provided insights into German attitudes and Karamanlis' handling Metaxas's suit. German Station sources and contacts produced information which indicated that the chief contradictions behind the dispute in Germany were Metaxas's desire for revenge and rebelliousness and that the suit was not backed by the West German opposition; the Greek opposition in West Germany. Bonn clericals provided the most valuable support on this subject.

On 10 October 1950 the Greek parliament was convened (four days ahead of schedule) to debate the Metaxas issue but adjourned

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debate because the opposition feared that outraged public sentiment resulting from Merton's charges would negate any political advantages to be gained. The expected posting of a vote of confidence did not materialize. It was at this stage that the careful work of the German Station paid off in an important respect. Having established beyond reasonable doubt that the Socialist Party was not involved in the attack against the Greek Government, we were in a position to prevent the Greek Government from making such charges and thereby stirring up a hornet's nest in Germany. [] aside the strenuous representations to Karanoulis and, during the debate in Parliament, Foreign Minister Avenhoff stated that the German Socialists had acted correctly throughout, thus averting further political repercussions in West Germany.

Currently Merton is using Mrs. Maderis for slander; Maderis. Maderis and Themelis are suing Merton for slander; a former Greek opposition deputy is suing Merton on behalf of the "honour" of the people of Greece. Initially the Greek opposition press gave Merton coverage to the affair, but this has subsided. Having sensationalized new evidence, the affair will be overtaken by other events and should subside to the inside pages of even the Greek opposition papers.

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